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VIA ECF AND HAND DELIVERY

Honorable Lewis A. Kaplan, U.S.D.J.
United States District Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1310
New York, NY 10007

Re: Mathieson v. DeNiro
Docket No. 07 CIV 8527 (LAK)
Our File No. 437005.1

Dear Judge Kaplan:

This firm represents plaintiff Christopher Mathieson in the above-captioned matter. We are in receipt of the October 12, 2007 letter Court from Robert S. Franklin, counsel for defendant John C. DeNiro's ("DeNiro"), concerning DeNiro's request for an adjournment of the hearing date on the Order to Show Cause, which is presently scheduled for October 17, 2007. It is our understanding that Mr. Franklin is now requesting that the hearing be adjourned until October 19, 2007, and that he is prepared to file his opposition papers today, consistent with the Court's original schedule. If the Court's schedule permits, we have no objection to moving the hearing two days to accommodate counsel's schedule. We are available at any time should Your Honor wish to discuss this matter further. We thank Your Honor for his continued attention to this emergent matter.

Respectfully submitted,

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN



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JEC:vp

cc: Robert S. Franklin, Esq. (via ECF and e-mail)